

28 remedies, or other actions resulting from the possession of certain items at an airport; and
29 ▶ provides technical and conforming changes.

30 **Money Appropriated in this Bill:**

31 None

32 **Other Special Clauses:**

33 This bill provides a special effective date.

34 **Utah Code Sections Affected:**

35 AMENDS:

36 **63I-2-253 (Superseded 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 7,
37 21, 33, 142, 167, 168, 380, 383, and 467

38 **63I-2-253 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 7, 21,
39 33, 142, 167, 168, 310, 380, 383, and 467

40 **63I-2-276**, as last amended by Laws of Utah 2023, Chapter 301

41 **76-10-529**, as last amended by Laws of Utah 2023, Chapter 422

42 ENACTS:

43 **53-25-102**, Utah Code Annotated 1953



45 *Be it enacted by the Legislature of the state of Utah:*

46 Section 1. Section **53-25-102** is enacted to read:

47 **53-25-102. Airport dangerous weapon possession reporting requirements.**

48 (1) As used in this section, "commission" means the State Commission on Criminal
49 and Juvenile Justice created in Section [63M-7-201](#).

50 (2) Beginning on January 1, 2026, a law enforcement agency having law enforcement
51 jurisdiction over an airport shall annually, on or before April 30, submit a report to the
52 commission detailing:

53 (a) for an offense described in Subsection [76-10-529\(2\)\(a\)\(i\)](#):

54 (i) the number of issued written warnings;

55 (ii) the number of issued citations;

56 (iii) the number of referrals to a detective; and

57 (iv) the number of referrals to a prosecutor; and

58 (b) for an offense described in Subsection [76-10-529\(2\)\(a\)\(ii\)](#):

59 (i) the number of issued written warnings; and
 60 (ii) if applicable, the number of issued citations, including the number of individuals
 61 who have received more than one citation for the offense.

62 (3) The commission shall:
 63 (a) develop a standardized format for reporting the data described in Subsection (2);
 64 (b) compile the data submitted under Subsection (2); and
 65 (c) annually on or before August 1, publish a report of the data described in Subsection
 66 (2) on the commission's website.

67 Section 2. Section **63I-2-253 (Superseded 07/01/24)** is amended to read:

68 **63I-2-253 (Superseded 07/01/24). Repeal dates: Titles 53 through 53G.**

- 69 (1) Section **53-1-118** is repealed on July 1, 2024.
- 70 (2) Section **53-1-120** is repealed on July 1, 2024.
- 71 (3) Section **53-7-109** is repealed on July 1, 2024.
- 72 (4) Section **53-22-104** is repealed December 31, 2023.
- 73 (5) Section **53-25-102** is repealed on December 31, 2031.

74 [~~5~~] (6) Section **53B-6-105.7** is repealed July 1, 2024.

75 [~~6~~] (7) Section **53B-7-707** regarding performance metrics for technical colleges is
 76 repealed July 1, 2023.

77 [~~7~~] (8) Section **53B-8-114** is repealed July 1, 2024.

78 [~~8~~] (9) The following provisions, regarding the Regents' scholarship program, are
 79 repealed on July 1, 2023:

- 80 (a) in Subsection **53B-8-105(12)**, the language that states, "or any scholarship
 81 established under Sections **53B-8-202** through **53B-8-205**";
- 82 (b) Section **53B-8-202**;
- 83 (c) Section **53B-8-203**;
- 84 (d) Section **53B-8-204**; and
- 85 (e) Section **53B-8-205**.

86 [~~9~~] (10) Section **53B-10-101** is repealed on July 1, 2027.

87 [~~10~~] (11) Subsection **53E-1-201(1)(s)** regarding the report by the Educational
 88 Interpretation and Translation Services Procurement Advisory Council is repealed July 1, 2024.

89 [~~H~~] (12) Section **53E-1-202.2**, regarding a Public Education Appropriations

90 Subcommittee evaluation and recommendations, is repealed January 1, 2024.

91 ~~[(12)]~~ (13) Section 53F-2-209, regarding local education agency budgetary flexibility,
92 is repealed July 1, 2024.

93 ~~[(13)]~~ (14) Subsection 53F-2-314(4), relating to a one-time expenditure between the
94 at-risk WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

95 ~~[(14)]~~ (15) Section 53F-2-524, regarding teacher bonuses for extra work assignments,
96 is repealed July 1, 2024.

97 ~~[(15)]~~ (16) Section 53F-5-221, regarding a management of energy and water pilot
98 program, is repealed July 1, 2028.

99 ~~[(16)]~~ (17) Section 53F-9-401 is repealed on July 1, 2024.

100 ~~[(17)]~~ (18) Section 53F-9-403 is repealed on July 1, 2024.

101 ~~[(18)]~~ (19) On July 1, 2023, when making changes in this section, the Office of
102 Legislative Research and General Counsel shall, in addition to the office's authority under
103 Section 36-12-12, make corrections necessary to ensure that sections and subsections identified
104 in this section are complete sentences and accurately reflect the office's perception of the
105 Legislature's intent.

106 Section 3. Section 63I-2-253 (Effective 07/01/24) is amended to read:

107 **63I-2-253 (Effective 07/01/24). Repeal dates: Titles 53 through 53G.**

108 (1) Subsection 53-1-104(1)(b), regarding the Air Ambulance Committee, is repealed
109 July 1, 2024.

110 (2) Section 53-1-118 is repealed on July 1, 2024.

111 (3) Section 53-1-120 is repealed on July 1, 2024.

112 (4) Section 53-2d-107, regarding the Air Ambulance Committee, is repealed July 1,
113 2024.

114 (5) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection
115 53-2d-702(1)(a) is amended to read:

116 "(a) provide the patient or the patient's representative with the following information
117 before contacting an air medical transport provider:

118 (i) which health insurers in the state the air medical transport provider contracts with;

119 (ii) if sufficient data is available, the average charge for air medical transport services
120 for a patient who is uninsured or out of network; and

121 (iii) whether the air medical transport provider balance bills a patient for any charge not
122 paid by the patient's health insurer; and".

123 (6) Section 53-7-109 is repealed on July 1, 2024.

124 (7) Section 53-22-104 is repealed December 31, 2023.

125 (8) Section 53-25-102 is repealed on December 31, 2031.

126 ~~[(8)]~~ (9) Section 53B-6-105.7 is repealed July 1, 2024.

127 ~~[(9)]~~ (10) Section 53B-7-707 regarding performance metrics for technical colleges is
128 repealed July 1, 2023.

129 ~~[(10)]~~ (11) Section 53B-8-114 is repealed July 1, 2024.

130 ~~[(11)]~~ (12) The following provisions, regarding the Regents' scholarship program, are
131 repealed on July 1, 2023:

132 (a) in Subsection 53B-8-105(12), the language that states, "or any scholarship
133 established under Sections 53B-8-202 through 53B-8-205";

134 (b) Section 53B-8-202;

135 (c) Section 53B-8-203;

136 (d) Section 53B-8-204; and

137 (e) Section 53B-8-205.

138 ~~[(12)]~~ (13) Section 53B-10-101 is repealed on July 1, 2027.

139 ~~[(13)]~~ (14) Subsection 53E-1-201(1)(s) regarding the report by the Educational
140 Interpretation and Translation Services Procurement Advisory Council is repealed July 1, 2024.

141 ~~[(14)]~~ (15) Section 53E-1-202.2, regarding a Public Education Appropriations
142 Subcommittee evaluation and recommendations, is repealed January 1, 2024.

143 ~~[(15)]~~ (16) Section 53F-2-209, regarding local education agency budgetary flexibility,
144 is repealed July 1, 2024.

145 ~~[(16)]~~ (17) Subsection 53F-2-314(4), relating to a one-time expenditure between the
146 at-risk WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

147 ~~[(17)]~~ (18) Section 53F-2-524, regarding teacher bonuses for extra work assignments,
148 is repealed July 1, 2024.

149 ~~[(18)]~~ (19) Section 53F-5-221, regarding a management of energy and water pilot
150 program, is repealed July 1, 2028.

151 ~~[(19)]~~ (20) Section 53F-9-401 is repealed on July 1, 2024.

152 ~~[(20)]~~ (21) Section [53F-9-403](#) is repealed on July 1, 2024.

153 ~~[(21)]~~ (22) On July 1, 2023, when making changes in this section, the Office of
154 Legislative Research and General Counsel shall, in addition to the office's authority under
155 Section [36-12-12](#), make corrections necessary to ensure that sections and subsections identified
156 in this section are complete sentences and accurately reflect the office's perception of the
157 Legislature's intent.

158 Section 4. Section **63I-2-276** is amended to read:

159 **63I-2-276. Repeal dates: Title 76.**

160 (1) Subsection [76-5-102.7\(2\)\(b\)](#), regarding assault or threat of violence against an
161 owner, employee, or contractor of a health facility, is repealed January 1, 2027.

162 (2) Section [76-7-305.7](#) is repealed January 1, 2023.

163 (3) Subsection [76-10-529\(10\)](#), regarding data collection requirements, is repealed on
164 December 31, 2031.

165 Section 5. Section **76-10-529** is amended to read:

166 **76-10-529. Possession of firearms, other dangerous weapons, or explosives in**
167 **airport secure areas prohibited -- Punishment limitations -- Reporting requirement.**

168 (1) (a) As used in this section:

169 (i) "Airport authority" has the same meaning as defined in Section [72-10-102](#).

170 (ii) "Explosive" is the same as defined for "explosive, chemical, or incendiary device"
171 in Section [76-10-306](#).

172 (iii) "Law enforcement officer" means the same as that term is defined in Section
173 [53-13-103](#).

174 (b) Terms defined in Sections [76-1-101.5](#) and [76-10-501](#) apply to this section.

175 (2) (a) Within a secure area of an airport established pursuant to this section, ~~[a person]~~
176 an actor, including ~~[a person]~~ an actor licensed to carry a concealed firearm under Title 53,
177 Chapter 5, Part 7, Concealed Firearm Act, is guilty of:

178 (i) a class A misdemeanor if the ~~[person]~~ actor knowingly or intentionally possesses
179 ~~[any dangerous weapon or]~~ a firearm or other dangerous weapon;

180 (ii) subject to Subsection (6), an infraction if the [person] actor recklessly or with
181 criminal negligence possesses [any dangerous weapon or] a firearm or other dangerous
182 weapon; or

183 (iii) a violation of Section 76-10-306 if the [~~person~~] actor transports, possesses,
184 distributes, or sells [~~any~~] an explosive, chemical, or incendiary device.

185 (b) Subsection (2)(a) does not apply to:

186 (i) [~~persons~~] individuals exempted under Section 76-10-523; and

187 (ii) [~~members~~] a member of the state or federal military forces while engaged in the
188 performance of [~~their~~] the member's official duties.

189 (3) An airport authority, county, [~~or~~] municipality, or other entity regulating [~~the~~] an
190 airport may:

191 (a) establish [~~any~~] a secure area located beyond the main area where the public
192 generally buys tickets, checks and retrieves luggage; and

193 (b) use reasonable means, including mechanical, electronic, x-ray, or [~~any other~~]
194 another device, to detect [~~dangerous weapons;~~] firearms, other dangerous weapons, or
195 explosives concealed in baggage or upon the person of [~~any~~] an individual attempting to enter
196 the secure area.

197 (4) At least one notice shall be prominently displayed at each entrance to a secure area
198 in which a [~~dangerous weapon;~~] firearm, other dangerous weapon, or explosive is restricted.

199 (5) [~~Upon~~] In accordance with Subsection (7), upon the discovery of [~~any dangerous~~
200 weapon;] a firearm, other dangerous weapon, or explosive, the airport authority, county, [~~or~~]
201 municipality, or other entity regulating the airport, or the employees[;] or other personnel
202 administering the secure area may:

203 (a) require the individual to deliver the item to the air freight office or airline ticket
204 counter;

205 (b) require the individual to exit the secure area; or

206 (c) obtain possession or retain custody of the item until [~~it~~] the item is transferred to
207 law enforcement officers.

208 (6) (a) An actor who violates Subsection (2)(a)(ii) on a first offense may receive a
209 written warning for the offense and may not receive a citation or any other form of punishment.

210 (b) An actor who violates Subsection (2)(a)(ii) on a second or subsequent offense may
211 receive a written warning or a citation.

212 (7) (a) If a law enforcement officer issues a citation to an actor for an infraction as a
213 result of the actor's conduct described in Subsection (2)(a)(ii), or provides an oral or written

214 warning for that conduct, the law enforcement officer shall:

215 (i) if the law enforcement officer is able to confirm that the actor may lawfully possess
216 the firearm or other dangerous weapon, allow the actor, at the actor's option, to:

217 (A) check the firearm or other dangerous weapon into the custody of the law
218 enforcement agency so that the firearm or other dangerous weapon may be retrieved by the
219 actor at a later date; or

220 (B) exit the secure area of the airport with the firearm or other dangerous weapon; or

221 (ii) if the law enforcement officer is unable to confirm that the actor may lawfully
222 possess the firearm or other dangerous weapon, check the firearm or other dangerous weapon
223 into the custody of the law enforcement agency so that the firearm or other dangerous weapon
224 may be retrieved by the actor at a later date if legally permitted to do so.

225 (b) If a law enforcement officer checks a firearm or other dangerous weapon into the
226 custody of a law enforcement agency under Subsection (7)(a):

227 (i) at the time the firearm or other dangerous weapon is obtained from the actor, the
228 law enforcement officer, or another law enforcement officer, or an employee who works in the
229 secure area of the airport, shall provide the actor with written instructions on how, when, and
230 where the actor may retrieve the actor's firearm or other dangerous weapon; and

231 (ii) within 72 hours from the time when the law enforcement officer receives the
232 firearm or other dangerous weapon, the law enforcement agency shall determine whether the
233 actor is legally permitted to possess the firearm or other dangerous weapon, and if so, ensure
234 that the firearm or other dangerous weapon is available for the actor to retrieve.

235 ~~[(6)]~~ (8) (a) An individual who is prosecuted for a violation of this section based on the
236 possession of a firearm shall have the individual's firearm returned to the individual in
237 accordance with Subsection 77-11a-402(1)(b) if the individual may lawfully possess the
238 firearm.

239 (b) In accordance with Subsection 77-11b-102(5), a firearm seized under this section is
240 not subject to forfeiture if the charged individual may lawfully possess the firearm.

241 (c) In a prosecution brought under this section, a prosecutor may not condition a plea
242 on the forfeiture of a firearm.

243 (9) An airport authority, county, municipality, or other entity regulating an airport or
244 with local jurisdiction over an airport may not:

245 (a) charge, cite, or prosecute an actor with a different offense under the Utah Code,
246 local ordinance, or another state or local law or regulation for conduct described in Subsection
247 (2)(a)(ii);

248 (b) assess a civil penalty for conduct described in Subsection (2)(a)(i) or (ii); or

249 (c) enact a regulation, ordinance, or law covering conduct described in Subsection (2).

250 (10) A law enforcement agency that issues a written warning, citation, or referral for
251 prosecution under this section shall record and report the information as required under Section
252 [53-25-102](#).

253 Section 6. **Effective date.**

254 (1) Except as provided in Subsection (2), this bill takes effect on May 1, 2024.

255 (2) The actions affecting Section [63I-2-253](#) (Effective 07/01/24) take effect on July 1,
256 2024.